



The appellant, Herman Lee Lucas, appeals as of right from a judgment of the trial court dismissing his suit for post-conviction relief following an evidentiary hearing. The trial court found that the appellant's guilty pleas met constitutional muster and he received effective assistance of counsel. In this Court, the appellant contends that "the trial court erred in dismissing [his] post conviction relief petition upon a finding that [he] had failed to carry his burden of proof regarding the ineffective assistance claim." After a thorough review of the briefs submitted by the parties, the record, and the authorities that control the issue presented for review, it is the opinion of this Court that the judgment of the trial court should be affirmed pursuant to Rule 20, Tennessee Court of Criminal Appeals.

The appellant and the attorney who represented him testified during the evidentiary hearing. Their testimony conflicts as to every essential element that must be established to support the relief sought by the appellant. The trial court accredited the testimony given by the attorney. The evidence accredited does not preponderate against the judgment of the trial court.

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JOE B. JONES, PRESIDING JUDGE

CONCUR:

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GARY R. WADE, JUDGE

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PAUL G. SUMMERS, JUDGE